

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

YVETTE TURNER

PLAINTIFF

VS.

CIVIL ACTION NO. 3:04CV623LN

**JACKSON STATE UNIVERSITY
and WILLIE BROWN**

DEFENDANTS

ORDER

This matter came before the court on Defendant Willie Brown's Motion for Protective Order Permanently Sealing Certain Testimony of Defendant Willie Brown. For the reasons that follow, the court is of the opinion that the Motion should be denied. As recognized by Unif. Local R. 83.6(A), court records are presumptively in the public domain. *See also Securities and Exchange Comm'n v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993); *United States v. Nix*, 976 F. Supp.417, 420 (S.D. Miss. 1997). In addition to the legal presumption that court records should be available to the public, the court is aware of the administrative difficulties that sealed records present to the Clerk's office. For this reason, the court does not favor sealing unless there is a showing of good cause.

Here, Mr. Brown wishes to seal information discussed during his deposition that is likely both irrelevant and inadmissible. The court is sympathetic to Mr. Brown's desire to keep this information out of the public domain; however, the records in question are already public records. However, the court will order that the information be unsealed after twenty days, in the event he wishes to apply to the District Judge for a reversal of this decision.

IT IS, THEREFORE, ORDERED that Willie Brown's Motion for Protective Order Permanently Sealing Certain Testimony of Defendant Willie Brown is hereby **denied**. The Motion

for Protective Order and its attachments will be unsealed by the Clerk's office on February 16, 2006, unless there is an Order to the contrary.

IT IS SO ORDERED, this the 25th day of January, 2006.

S/Alfred G. Nicols, Jr.
UNITED STATES MAGISTRATE JUDGE